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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

RONALD J. JOSEPH

CIVIL ACTION NO.: 04-2308

VERSUS

JUDGE DOHERTY

NOBLE DRILLING CORPORATION, ET AL

MAGISTRATE JUDGE HILL

**MEMORANDUM RULING**

Currently pending before this Court is a Motion for Leave to File a Motion for Summary Judgment [Doc. 61] by defendant, Barry Graham Oil Service, LLC ("Barry Graham"), who moves for leave of Court to file its Motion for Summary Judgment. Leave is hereby GRANTED.

The Motion for Summary Judgment seeks dismissal of all claims made against Barry Graham by plaintiff, Roland J. Joseph, on the basis that neither Barry Graham nor any of its agents, employees or representatives and/or members of the crew of the vessel, the M/V CAPT. LEVERT, contributed to, caused or was at legal fault for the alleged injuries of plaintiff, which form the basis of his lawsuit. Barry Graham further argues that unseaworthy and/or any other condition of the vessel, the M/V CAPT. LEVERT, contributed to and/or caused the alleged injuries of plaintiff. No party has opposed the motion. Therefore, the Motion for Summary Judgment, appearing to be well-founded in law and fact, and being unopposed by all parties, will be GRANTED, and all claims

against Barry Graham are hereby DISMISSED WITH PREJUDICE.

THUS DONE AND SIGNED at Lafayette, Louisiana, this 6 day of November, 2006.

  
REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE

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DATE 11/7/06

BY RF

TO CFR

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